

Kolman, Joe

From: DeGrosky, Michael
Sent: Tuesday, September 11, 2018 4:13 PM
To: Kolman, Joe
Cc: Germann, Sonya; Clark, Sue
Subject: FW: Thoughts on EQC Bills re. FPA

Sept. 12, 2018

Exhibit 3

Importance: High

Follow Up Flag: Follow up

Flag Status: Flagged

Hello Joe;

As discussed on the phone

We noted several small errors and omissions (typos, bad grammar, etc.) in the bill drafts. I did not note their specific location and assume you will catch these down the road.

Section 7. of all three draft bills seems to need revision, as it is still rooted in "timber." More importantly, there appears to be a disconnect between 76-13-108 (as revised in these bills) and 76-13-102 (9) (b) as revised, that expressly exempts trust land. Seems there is a better tie between sections needed.

Section 8. 76-13-11 , as revised (all three bills) still references forest lands and "forest protection" (should be "wildland" and "wildland protection")

Section 18. 76-13-209 (all three bill drafts) (2) should read "(2) Funds in the wildland fire protection preparedness account may be used for wildland fire protection preparedness. Any unspent and unobligated funds from the prior fiscal year must be transferred to the aviation equipment replacement account. (Joe K. please note – many of these are clean-up/housekeeping, but this one is substantial. Also, we noted that the please note: Director Tubbs suggests an "equipment replacement account" (perhaps specifying that its intended purpose is primarily aviation equipment replacement) vs. "aviation equipment replacement account."

Section 18. 76-13-209(2) (a) – all three bill drafts – retains language about owners requesting protection (this is language that pertains to affidavit units that would seem obsolete if any of these bills were to become law.)

Mike

Michael T. DeGrosky, Chief
Fire Protection Bureau
Montana DNRC
(406) 542-4304

